



PATENT  
Attorney Docket No. 6374

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Barron, et al.

Serial No.: 09/788,308

Group No.: 1646

Filed: 2/16/01

Examiner:

For: POLYPEPTOID PULMONARY SURFACTANTS

Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
Attention Application Division

STATEMENT BY ATTORNEY THAT APPLICATION BEING FILED IN PTO IS THE ONE  
INVENTOR EXECUTED BY SIGNING DECLARATION

NOTE: This form is to be used when the declaration only indicates the name(s) of the inventor(s) and the title of the invention. Notice of September 12, 1983, 1035 O.G. 3.

I, Rodney D. DeKruif

Name of Attorney

Reinhart, Boerner, Van Deuren, Norris & Rieselbach, s.c.,

1000 North Water Street, P.O. Box 92900, Milwaukee, Wisconsin 53202-0900

Reg. No. 35,853

Tel. No. (414) 298-8360

state I am the attorney for this application and the application identified above is the application which the inventor(s) executed by signing the declaration which is being submitted herewith.

*Rodney D. DeKruif*  
Signature of Attorney

**\*\*FOR DIVISIONAL APPLICATIONS\*\***

\*\*The application is being filed pursuant to Section 1.60. A true copy is enclosed of the prior complete application as filed in the parent application \_\_\_\_\_ including the specification (with claims), drawings, oath or declaration showing the signature or an indication it was signed, and any amendments referred to in the oath or declaration filed to complete the prior application. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.

**Certificate of Mailing/Transmission (37 CFR 1.8)**

I hereby certify that this correspondence is, on the date shown below, being:

Mailing

[X] deposited with the United States Postal Service  
with sufficient postage as First Class Mail  
in an envelope addressed to the  
Assistant Commissioner for Patents,  
Washington, D.C. 20231.

Facsimile

[ ] transmitted by facsimile to the Patent  
and Trademark Office

Date: May 21, 2001

*Rodney D. DeKruif*  
Signature

Rodney D. DeKruif  
(type or print name of person certifying)



Please type a plus sign (+) inside this box →



PTO/SB/01 (12-97)  
Approved for use through 9/30/00 OMB 0651-0032  
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.



**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing  
OR  
☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

**Attorney Docket Number**

6374

**First Named Inventor**

Barron, Annelise E.

**COMPLETE IF KNOWN**

**Application Number**

09/788,308

**Filing Date**

02/16/2001

**Group Art Unit**

1646

**Examiner Name**

**As a below named inventor, I hereby declare that:**

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**POLYPEPTOID PULMONARY SURFACTANTS**

the specification of which (Title of the Invention)

☐ is attached hereto  
OR

☒ was filed on (MM/DD/YYYY) 02/16/2001 as United States Application Number or PCT International

Application Number 09/788,308 and was amended on (MM/DD/YYYY) (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
60/182,847	02/16/2000	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 3]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box →



PTO/SB/01 (12-97)

Approved for use through 9/30/00 OMB 0651-0032  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☒ Customer Number **22922** OR



**22922**

☒ Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number
Rodney D. DeKruif	35,853		

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☒ Customer Number or Bar Code Label



**22922**

OR ☐ Correspondence address below

<b>Name</b>	Rodney D. DeKruif, Esq. Reinhart, Boerner, Van Deuren, Norris & Rieselbach, s.c.						
<b>Address</b>	1000 North Water Street						
<b>Address</b>	Suite 2100						
<b>City</b>	Milwaukee	<b>State</b>	WI	<b>ZIP</b>	53202		
<b>Country</b>	United States	<b>Telephone</b>	414-298-8360		<b>Fax</b>	414-298-8097	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>Name of Sole or First Inventor:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
<b>Given Name (first and middle (if any))</b>		<b>Family Name or Surname</b>	
Annelise E.		Barron	
<b>Inventor's Signature</b>			<b>Date</b>
<b>Residence: City</b>	Chicago	<b>State</b>	IL
<b>Country</b>	US	<b>Citizenship</b>	US
<b>Post Office Address</b> 7518 N. Eastlake Terrace, Apt. 2N			
<b>Post Office Address</b>			
<b>City</b>	Chicago	<b>State</b>	IL
<b>ZIP</b>	60626	<b>Country</b>	US

☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION****ADDITIONAL INVENTOR(S)**  
**Supplemental Sheet**  
Page 1 of 1

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Ronald N.		Zuckermann	
Inventor's Signature		Date	
Residence: City	El Cerrito	State	CA
		Country	US
Mailing Address		1116 Contra Costa Drive	
Mailing Address			
City	El Cerrito	State	CA
		ZIP	94530
		Country	US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Cindy W.		Wu	
Inventor's Signature		Date	
<i>Cindy W. Wu</i>		5/21/2001	
Residence: City	Evanston	State	IL
		Country	US
Mailing Address		1724 Madison Street	
Mailing Address			
City	Evanston	State	IL
		ZIP	60202
		Country	US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
		Country	
Mailing Address			
Mailing Address			
City		State	
		ZIP	
		Country	

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

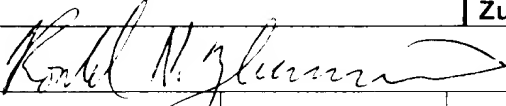
Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION****ADDITIONAL INVENTOR(S)****Supplemental Sheet**Page 1 of 1

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Ronald N.		Zuckermann	
Inventor's Signature 		Date 5/14/01	
Residence: City	El Cerrito	State	CA
Country	US	Citizenship	US
Mailing Address 1116 Contra Costa Drive			
Mailing Address			
City	El Cerrito	State	CA
ZIP	94530	Country	US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Cindy W.		Wu	
Inventor's Signature		Date	
Residence: City	Evanston	State	IL
Country	US	Citizenship	US
Mailing Address 1724 Madison Street			
Mailing Address			
City	Evanston	State	IL
ZIP	60202	Country	US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
Country		Citizenship	
Mailing Address			
Mailing Address			
City		State	
ZIP		Country	

Burden Hour Statement. This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231